

IN THE UNITED STATES DISTRICT COURT
FOR THE EASTERN DISTRICT OF NORTH CAROLINA
SOUTHERN DIVISION
No. 7:18-CR-68-2BO

UNITED STATES OF AMERICA,

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v.

ORDER

TERRANCE LASHAWN FLOWERS
Defendant.

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This matter is before the Court on defendant's appeal of the Magistrate Judge's decision to detain defendant pending trial. Defendant is charged with three counts of possession of a stolen firearm, in violation of 18 U.S.C. § 922(j), and three counts of being a felon in possession of a firearm, in violation of 18 U.S.C. § 922(g) and 924(a)(2).

On May 16, 2018, United States Magistrate Judge Robert B. Jones, Jr. ordered defendant detained pending trial. The magistrate court held a hearing on the issue in which it considered the nature of the charges, the apparent evidence, and the ability to assure defendant's presence for trial as well as the safety of the community.

The district court reviews the magistrate judge's pretrial detention order *de novo*. *United States v. Clark*, 865 F.2d 1433, 1436 (4th Cir. 1989). In the instant case, Judge Jones found defendant's criminal history, his history of probation revocations, and the apparent strength of the government's case all to indicate that there is a serious risk that defendant will endanger the safety of another person or the community. [DE 18]. Defendant's record supports this finding. He has several felony convictions related to the possession of dangerous weapons. The instant case, which involves a large number of guns, continues that pattern. Additionally, defendant has struggled to comply with court instruction in the past, resulting in multiple probation revocations

and failures to appear. [DE 26]. These facts indicate that defendant poses a danger to the community.

Under these circumstances, the Court finds that there are no conditions or combination of conditions that would assure the appearance of the Defendant and the safety of others as required under 18 U.S.C. § 3142(f). For the foregoing reasons, defendant's appeal of the detention order [DE 25] is DENIED.

SO ORDERED, this 25 day of June, 2018.


TERRENCE W. BOYLE
UNITED STATES DISTRICT JUDGE